

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,

Plaintiff,

VS.

BRIAN WRIGHT,

Defendant.

2:14-cr-00357-APG-VCF

ORDER

Before the Court are Wright's motion to dismiss attorney (ECF No. 362) and motion for copies (ECF No. 364). Wright filed a notice of appeal with the Ninth Circuit Court of Appeals on April 12, 2017. (ECF No. 357). "The filing of a notice of appeal is an event of jurisdictional significance—it confers jurisdiction on the court of appeals and divests the district court of its control over those aspects of the case involved in the appeal." *Griggs v. Provident Consumer Disc. Co.*, 459 U.S. 56, 58, 103 S. Ct. 400, 74 L.Ed.2d 225 (1982); *see also Dayton Indep. Sch. Dist. v. U.S. Mineral Prods. Co.*, 906 F.2d 1059, 1063 (5th Cir. 1990) ("When one aspect of a case is before the appellate court on interlocutory review, the district court is divested of jurisdiction over that aspect of the case. A district court does not have the power to alter the status of the case as it rests before the Court of Appeals.") The district court does not regain jurisdiction over those issues until the court of appeals issues its mandate. *Id.* After the Ninth Circuit rules on the pending appeal, Wright may seek leave to file these motions.

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1 ACCORDINGLY,

2 IT IS ORDERED that Wright's motion to dismiss attorney (ECF No. 362) and motion for copies
3 (ECF No. 364) are DENIED WITHOUT PREJUDICE.

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5 DATED this 1st day of May, 2017.

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7 CAM FERENBACH
8 UNITED STATES MAGISTRATE JUDGE
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